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8 Attorney for Defendant/Counterclaimant.
9 Dataway, Inc.

10 **UNITED STATES DISTRICT COURT**
11 **NORTHERN DISTRICT OF CALIFORNIA**
12 **SAN FRANCISCO DIVISION**

13 AT&T Corp.

14 **CASE NO. C07-02440 MMC**

15 PLAINTIFF,

16 v.

17 Dataway, Inc.

18 **DECLARATION OF ANNE-LEITH
19 MATLOCK IN SUPPORT OF ANSWER
20 TO COMPLAINT FILED BY AT&T
21 AND COUNTER-CLAIM**

22 DEFENDANT.

23 Dataway, Inc.

24 COUNTERCLAIMANT

25 v.

26 AT&T Corp.

27 COUNTERDEFENDANT

28 I, ANNE-LEITH MATLOCK, declare:

29 1. I am an attorney at law licensed to practice before all Courts of the State

1 of California and before the Courts of the Eastern and Northern District of
2 California. I am a partner of the law firm Matlock Law Group, attorneys of record for
3 Defendant and Counter-Claimant Dataway, Inc. (hereinafter "Dataway").

4 2. Attached hereto as Exhibit "A" is a true and correct copy of the Anti-
5 Slamming Agreement and the telecommunication contract entered into by SBC/AT&T
6 and Dataway, Inc. that authorized SBC to become Dataway's new and only service
7 provider for local and long distance services.

8 3. Attached hereto as Exhibit "B" is a true and correct copy of the Service
9 Bill in which AT&T claims charges in the amount of \$ 11,534.67 for the disputed calls.

10 4. Attached hereto as Exhibit "C" is the Declaration of Simon Lewis,
11 President of Dataway, which I hereby incorporate herein by reference.

12 5. Attached hereto as Exhibit "D" is AT&T's Disconnect Notice.

13 6. Attached hereto as Exhibit "E" is a form that Dataway sent on demand
14 to AT&T's Fraud Resolution Group.

15 7. I have reviewed the facts set forth in AT&T's Complaint and conclude
16 that AT&T's Complaint is without merit and that the facts at hand provide the basis for
17 affirmative defenses set forth in the Answer and causes of action set forth in the
18 Counter-Claim.

19

20 I declare under penalty of perjury under the laws of the United States that the
21 foregoing is true and correct. I could and would competently testify thereto, if called
22 upon as a witness.

23 This declaration is executed this 17th of October 2007, at Walnut Creek,
24 California.

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27 Anne-Leith W. Matlock
Attorney for Dataway, Inc.

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